

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 04-10718-RGS

STEVEN HORNE and)
RONALD BROWN,)
)
PLAINTIFFS)
)
v.)
)
CITY OF BOSTON,)
SGT. ERIC BULMAN, and)
SGT. JOHN DAVIN,)
)
DEFENDANTS)

**THIRD ASSENTED TO MOTION OF PLAINTIFFS TO EXTEND TIME
TO FILE OPPOSITION TO SUMMARY JUDGMENT MOTION**

Plaintiffs Steven Horne and Ronald Brown hereby move to further extend the time to file and serve their Opposition to the Defendants' Motion for Summary Judgment to, and including, August 25, 2006 and to extend the Final Pre-Trial Conference date to a future date as the Court deems appropriate. In support of this Motion, Plaintiffs state the following:

1. This extension of time seeks an additional ten (10) days for the Plaintiffs to file their Opposition. Since the last extension of time, the Plaintiffs' counsel has had problems with his computer system which recently has been repaired and had been preparing for a jury trial for July which settled before trial. Plaintiff has now hired a new staff member to assist with the Opposition, which has partially alleviated the loss of two staff members earlier this spring and summer, but needs an additional short amount of time to complete the review of law and analysis of facts to

prepare an Opposition.

2. Plaintiff's counsel also is still working as well on another Opposition to a Summary Judgment Motion in another case and is still involved in negotiating a potential renewal his firm's current expiring lease with its landlord as well as searching for a new office location.

3. The short additional extension of time Plaintiffs seek will not prejudice any of the parties and the Plaintiffs do not anticipate seeking any more extensions with regard to their Opposition.

4. The Defendants, by their undersigned counsel, have assented to the allowance of this Motion.

Dated: August 10, 2006

PLAINTIFFS,
STEVEN HORNE, and
RONALD BROWN,
By their attorney,

s/Stephen A. Roach
Stephen A. Roach, BBO No. 542138
ROACH & WISE, LLP
31 State Street
Boston, MA 02109
(617) 723-2800

Assented to:
DEFENDANTS,
By their attorney,

s/Mary Jo Harris/SAR
Mary Jo Harris
MORGAN, BROWN & JOY, LLP
200 State Street, 11th Floor
Boston, MA 02109
(617) 523-6666

CERTIFICATE OF SERVICE

I, Stephen A. Roach, Attorney for Plaintiff, hereby certify that on August 10, 2006, I served Defendants with the within document by causing copies of the same to be mailed to their counsel of record.

s/Stephen A. Roach
Stephen A. Roach